IN THE CLAIMS

Please amend the claims to read as follows:

Listing of Claims

1-19. (Canceled).

20. (Currently Amended) A code division multiple access transmitting apparatus comprising:

a plurality of transmitting antennas;

a parallel data forming section that forms a plurality of parallel data different from each other, from data addressed to a same transmitting party;

a first spreading section that spreads first parallel data to be transmitted from a first transmitting antenna;

a second spreading section that spreads second parallel data to be transmitted from a second transmitting antenna;

a spreading method setting section that sets spreading <u>factors, the number of spreading codes or the number of spreading codes assigned to one transmitting party</u> ~~methods~~ in the first and second spreading sections independently; and

first and second transmitting sections that transmit the spread first and second parallel data from the first and second transmitting antennas using a multiple input multiple output scheme.

21. (Previously Presented) The code division multiple access transmitting apparatus according to claim 20, wherein signals transmitted from the first and second transmitting antennas are separated at the transmitting party by using a difference in characteristics of channels where the signals pass.

22. (Currently Amended) The code division multiple access transmitting apparatus according to claim 20, wherein the spreading method setting section sets spreading methods in the first and second spreading sections independently based on ~~at least one of~~ a channel quality, a degree of importance, or ~~and~~ the number of retransmissions, of each signal transmitted from the first and second transmitting antennas.

23. (Currently Amended) The code division multiple access transmitting apparatus according to claim 20, wherein the spreading method setting section performs the setting based on ~~at least one of~~ a channel quality, a degree of importance, or ~~and~~ the number of retransmissions, of each signal transmitted by radio from the first and second transmitting sections.

24. (Canceled).

25. (Previously Presented) The code division multiple access transmitting apparatus according to claim 20, wherein the spreading method setting section sets a spreading factor used in the first spreading section greater than a spreading factor used in the second spreading section.

26. (Previously Presented) The code division multiple access transmitting apparatus according to claim 20, wherein the spreading method setting section sets the number of spreading codes used in the first spreading section smaller than the number of spreading codes used in the second spreading section.

27. (Previously Presented) The code division multiple access transmitting apparatus according to claim 20, wherein the spreading method setting section sets the number of spreading codes the first spreading section assigns to one transmitting party greater than the number of spreading codes the second spreading section assigns to one transmitting party.

28. (Previously Presented) The code division multiple access transmitting apparatus according to claim 23, wherein the first parallel data comprises control information or retransmission information.

29. (Previously Presented) The code division multiple access transmitting apparatus according to claim 23, wherein the spreading method setting section performs the setting for only a fixed period of time.

30. (Canceled).

31. (Previously Presented) The code division multiple access transmitting apparatus according to claim 23, wherein transmission power of the first transmitting section is set greater than transmission power of the second transmitting section.

32. (Previously Presented) The code division multiple access transmitting apparatus according to claim 27, wherein the spreading method setting section applies the setting to a transmitting party having a lower channel quality than a predetermined quality.

33. (Previously Presented) The code division multiple access transmitting apparatus according to claim 23, wherein the first parallel data comprises a systematic bit when a turbo code is used as an error correction code.

34. (Currently Amended) The code division multiple access transmitting apparatus according to claim 20, wherein the signals transmitted by radio from the first and second transmitting sections are converted in multicarrier form.

35. (Currently Amended) A code division multiple access receiving apparatus that uses a multiple input multiple output scheme, the apparatus comprising:

first and second receiving sections that receive signals in which varying data is multiplexed through first and second receiving antennas;

a separating section that separates the varying data prior to multiplexing, from the signals received respectively through the first and second receiving antennas by using a difference in characteristics of channels where the signals pass; and

first and second despreading sections that respectively despread the separated signals, wherein:

spreading factors, the number of spreading codes or the number of spreading codes assigned to one transmitting party ~~despreading methods~~ in the first and second despreading sections are set independently.

36. (Currently Amended) The code division multiple access receiving apparatus according to claim 35, wherein the despreading methods in the first and second despreading sections are set individually based on ~~at least one of~~ a channel quality, a degree of importance, or ~~and~~ the number of retransmissions, of each signal received through the first and second transmitting antennas.

37. (Previously Presented) A communication terminal apparatus comprising the code division multiple access transmitting apparatus according to claim 20.

38. (Previously Presented) A base station apparatus comprising the code division multiple access transmitting apparatus according to claim 20.

39. (Currently Amended) A radio transmitting method comprising:

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first and second spreading steps of spreading parallel signals different from each other;

first and second transmitting steps, corresponding to the first and second spreading steps, respectively, of transmitting the spread parallel signals using a multiple input multiple output scheme; and

a spreading method setting step of setting spreading factors, the number of spreading codes or the number of spreading codes assigned to one transmitting party methods in the first and second spreading steps independently.

40. (Currently Amended) A radio transmitting system comprising:

a parallel data forming section that forms a plurality of parallel data different from each other, from data addressed to a same transmitting party;

a first spreading section that spreads first parallel data to be transmitted from a first transmitting antenna;

a second spreading section that spreads second parallel data to be transmitted from a second transmitting antenna, the second parallel data having different content from the first parallel data and being addressed to a same transmitting party;

a spreading method setting section that sets spreading factors, the number of spreading codes or the number of spreading codes assigned to one transmitting party methods in the first and second spreading sections independently; and

first and second transmitting sections that transmit the spread first and second parallel data through the first and second transmitting antennas using a multiple input multiple output scheme.

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